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Attorneys for Plaintiff JENS ERIK SORENSEN,
as Trustee of SORENSEN RESEARCH AND
DEVELOPMENT TRUST

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

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|------------------------------------|---|
| JENS ERIK SORENSEN, as Trustee of |) Case No. 07cv 05568 JSW |
| SORENSEN RESEARCH AND |) |
| DEVELOPMENT TRUST, |) DECLARATION OF MELODY A. |
| |) KRAMER IN SUPPORT OF |
| Plaintiff |) PLAINTIFF'S OPPOSITION TO |
| v. |) DEFENDANT DIGITAL |
| |) NETWORKS NORTH AMERICA, |
| DIGITAL NETWORKS NORTH |) INC.'S MOTION PURSUANT TO |
| AMERICA, INC., a Delaware |) CIVIL L.R. 6-3 TO ENLARGE TIME |
| corporation; LEGACY SUPPORT |) TO RESPOND TO THE AMENDED |
| SERVICES, LTD. d/b/a S2G; and DOES |) COMPLAINT PENDING THE |
| 1-100, |) OUTCOME OF MOTION TO STAY |
| Defendants. | |

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1 I, MELODY A. KRAMER, declare:

2 1. I am not a party to the present action. I am over the age of eighteen. I
3 have personal knowledge of the facts contained within the following paragraphs, and
4 could and would competently testify thereto if called as a witness in a court of law.

5 2. At all times relevant herein I have been an attorney for Defendant
6 Sorensen Research and Development Trust ("SRDT"), Plaintiff in the above-
7 captioned matter.

8 3. This Declaration is being submitted in conjunction with Plaintiff's
9 Opposition To Defendant Digital Networks North America, Inc.'s Motion Pursuant
10 To Civil L.R. 6-3 To Enlarge Time To Respond To The Amended Complaint
11 Pending The Outcome Of Motion To Stay

12 4. On or about November 26, 2007, Mr. Theodore Bell, counsel for
13 DNNA, called me and requested an extension of time to respond to the Complaint.

14 5. No particular reason for the request for extension was made, however, I
15 agreed to an extension until January 4, 2008 and a Stipulation was filed with the
16 Court.

17 6. On November 27, 2007 an Amended Complaint was filed naming an
18 additional defendant. The allegations against DNNA remained essentially the same
19 as those in the initial Complaint. DNNA was served with the Amended Complaint
20 via its counsel. I counsel has conversed with DNNA's counsel and agreed that the
21 response date for the Amended Complaint would also be extended to January 4,
22 2008.

23 7. On December 11, 2007, DNNA's counsel called me and called Mr.
24 Kaler and attempted to obtain an agreement to further extend the response deadline
25 to a certain amount of time after the Court issues its ruling on DNNA's motion for
26 stay (which had not been filed at the time of the telephone calls). Having already
27 granted a more than sufficient extension of time, neither Mr. Kaler nor I agreed to a
28 further extension.

1 8. I asked Mr. Bell counsel for a specific reason as to why DNNA wanted
2 to delay the filing of an answer for so long, and Mr. Bell responded that its
3 responsive pleading may not be an answer. Mr. Bell he did not identify what
4 alternate pleading DNNA may intend to file. Mr. Bell also did not identify any
5 prejudice, harm, or other impediment to DNNA filing a responsive pleading in
6 advance of a ruling on DNNA's motion for stay.

7 9. There have been ongoing communications between the parties for more
8 than two years, during which DNNA has never denied infringement as accused by
9 Plaintiff. The only issue disputed between the parties prior to the filing of the
10 complaint has been the appropriate licensing fee.

11
12 SWORN TO under penalty of perjury of the laws of the State of California
13 and the United States, this 13th day of December, 2007.

14
15
16 /s/ Melody A. Kramer

17
18 _____
19 Melody A. Kramer, Esq.
20 Attorney for Plaintiff
21 mak@kramerlawip.com
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PROOF OF SERVICE

I, Melody A. Kramer declare: I am and was at the time of this service working within in the County of San Diego, California. I am over the age of 18 year and not a party to the within action. My business address is the Kramer Law Office, Inc., 9930 Mesa Rim Road, Suite 1600, San Diego, California, 92121. I am a member of the State Bar of California and the Bar of this Court.

On December 13, 2007, I served on the parties to this action the following documents:

**DECLARATION OF MELODY A. KRAMER IN SUPPORT OF
PLAINTIFF'S OPPOSITION TO DEFENDANT DIGITAL NETWORKS
NORTH AMERICA, INC.'S MOTION PURSUANT TO CIVIL L.R. 6-3 TO
ENLARGE TIME TO RESPOND TO THE AMENDED COMPLAINT
PENDING THE OUTCOME OF MOTION TO STAY**

| PERSON(S) SERVED | PARTY(IES) SERVED | METHOD OF SERVICE |
|---|--|---|
| David A. Jakopin Theodore K. Bell Daniel J. Richert Pillsbury Winthrop et al 2475 Hanover Street Palo Alto, CA 94304-1114 david.jakopin@pillsburylaw.com tad.bell@pillsburylaw.com Daniel.richert@pillburylaw.com 650-233-4545 FAX | Defendant Digital Networks North America, Inc. | Email – Pleadings Filed with the Court |
| Bradley J. Hulbert Richard A. Machonkin Kurt W. Rohde McDonnell Boehnen et al 300 South Wacker Drive Chicago, IL 60606-6709 hulbert@mbhb.com machonkin@mbhb.com rohdek@mbhb.com 312-913-0002 FAX | Defendant Digital Networks North America, Inc. | Email – Pleadings Filed with the Court |

☐ (Personal Service) I caused to be personally served in a sealed envelope hand-delivered to the office of counsel during regular business hours.

☐ (Federal Express) I deposited or caused to be deposited today with Federal Express in a sealed envelope containing a true copy of the foregoing documents with fees fully prepaid addressed to the above noted addressee for overnight delivery.

☐ (Facsimile) I caused a true copy of the foregoing documents to be transmitted by facsimile machine to the above noted addressees. The facsimile transmissions were reported as complete and without error.

☐ (Email) I emailed a true copy of the foregoing documents to an email address represented to be the correct email address for the above noted addressee.

☒ (Email--Pleadings Filed with the Court) Pursuant to Local Rules, I electronically filed this document via the CM/ECF system for the United States District Court for the Southern District of California.

I declare that the foregoing is true and correct, and that this declaration was executed on Thursday, December 13, 2007, in San Diego, California.

/s/ Melody A. Kramer

Melody A. Kramer